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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,281	03/15/2002	Juergen Hess	1965	9027

7590 10/14/2003
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

FOX, JOHN C

ART UNIT PAPER NUMBER

3753

DATE MAILED: 10/14/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030281

Applicant(s)

Examiner

Frx

Group Art Unit

3753

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/8/03
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-16 is/are pending in the application.
- Of the above claim(s) 3-14 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-2, 15-16 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 3753

This action is responsive to the communication filed August 8, 2003.

Applicant's election with traverse of Species B, Figure 3 in Paper No. 7 is acknowledged. The traversal is on the ground(s) that this application comes from a PCT. This is not found persuasive because the PCT Rule is that a special technical feature must be in the claims. Since the generic claims are not allowable, no special technical feature is present.

The requirement is still deemed proper and is therefore made FINAL.

Claims 3-14 are objected to under 37 C.F.R. § 1.75(c) as being in improper form because a multiple dependent claim must be in the alternative and may not depend from another multiple dependent claim. See M.P.E.P. § 608.01(n). Accordingly, claims 3-14 have not been further treated on the merits.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Art Unit: 3753

Claims 1 and 16 are rejected under 35 U.S.C. §102(b) as being anticipated by Williams. Williams shows a valve where the resilient head 19 is deformed as it is being forced past the seat 18 and then returns to its outset condition. Williams includes a rod 24 which extends to be used with a fill chuck, which is the actuator.

Applicant's remarks have been fully considered but are not deemed to be persuasive. Williams' valve is actuated by "a conventional inflating coupling", see column 2, lines 42-46.

Claims 1-2 and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by Broecker. Broecker shows another valve where the valve head 19 is forced through the 15 by deformation of the valve, and includes a chamfered surface on the valve and the seat. Broecker also is actuated.

The Prior Art made of record and not relied upon is considered pertinent to applicant's disclosure. Chuang et al and Wang are cited to illustrate tire fill valve actuators.

Serial Number: 10/030281

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Any inquiry concerning this communication should be directed to Examiner Fox at (703) 308-2595 or John.Fox@uspto.gov. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0861. The fax number for TC 3700 is 703-872-9302. For responses after final the fax number is 703-872-9303. The Supervisory Primary Examiner for Art Unit 3753 is John Rivell who can be reached at (703) 308-2599 or at John.Rivell@uspto.gov.



JOHN FOX
PRIMARY EXAMINER
ART UNIT 3753

jcf
October 10, 2003